

MINUTES FROM COUNCIL MEETING
CITY OF NORTH CANTON
MONDAY, JULY 11, 2016

1. Call to Order

COUNCIL PRESIDENT PETERS: I'd like to call to order the Council Meeting, Monday, July 11, 2016, 7:03pm.

2. Opening Prayer – Councilman Cerreta led the opening prayer.

3. Pledge of Allegiance

4. Roll Call

COUNCIL PRESIDENT PETERS: Clerk, please call the roll?

Roll call found the following council members in attendance: Cerreta, Foltz, Fonte, Griffith, Kiesling, Peters and Werren. Thus having 7 in attendance.

COUNCIL PRESIDENT PETERS: Thank you very much. Before I get into consideration, I just want to make a quick announcement. Long time Law Director Mr. Roy Batista has passed away. And I just wanted to extend my thoughts and sympathies and prayers to his family and ask that you join us in a moment of silence.

5. Consideration

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to approve as presented:

Council Meeting Minutes: June 27, 2016

Special Committee of the Whole Meeting Minutes: June 27, 2016

Transfer of Liquor License from NEETU LLC DBA AVNEET, 1406 N. Main St., North Canton, Ohio 44720, to J VAS INC, 1406 N Main St., North Canton, Ohio 44720

New Liquor License for Hoover Restaurant Inc DBA Grinders & Such 1671 N. Main St & Patio, North Canton, Ohio 44720

*Police Chief Wilder reviewed both liquor licenses.

COUNCILMAN FOLTZ: Motion to approve as presented.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to approve the above minutes and liquor licenses.

6. Recognition of Karen Alger for her service as Director of Finance.

COUNCIL PRESIDENT PETERS: Thank you very much. At this time, we are joined today by Ms. Karen Alger, our former Finance Director. I hope retirement has been treating you nicely. I can tell by the smile on your face it is. Anyways, we put together this plaque in recognition of Karen's service to the city. And this doesn't show how much you meant to us, and how much we appreciate what you've done. And we have a few highlights on this plaque that will give everyone an idea of what she's done to move our finance department forward, to streamline, to save the taxpayers money. We want you to come up and recognize you for all your service and all your efforts. Karen's received the Auditor's State Award with Distinction for the four years you were here. She implemented the automated City purchase order system. Introduced electronic payroll. Contributed to the collective bargaining agreements her whole time. She was instrumental in refinancing City bonds, which she saved us a huge chunk of money. And just recently implemented the income tax transition to RITA. And of all of these, I can't put a dollar amount to what you've saved the taxpayers. But I would like to personally thank you on behalf of council for your years of service and your hard work and your dedication to the taxpayers. Congratulations. Now if council, I'll open it up to you if you have any nice parting comments for Karen.

COUNCILMAN FOLTZ: Karen, I appreciate your professional and your years of service. You helped us out when we really needed somebody competent to move into the office. And I wish you well. I had the opportunity to work with you in another government entity, and I wish you the best in your future. Thank you for your contribution, Karen.

COUNCILMAN CERRETA: I'll ditto that, it's been a pleasure knowing you and just generally you know, for who you are and getting through some of the little bumps in the road along the last six years or so. So, good luck to you in the future.

COUNCILMAN GRIFFITH: Well, you've been forced to listen to my jokes and respond to my emails and telephone calls. And Karen, you've done it with a great deal of grace and patience. Which I appreciate very much. And more importantly as we mentioned before, a really high level of competency. So I appreciate all the wonderful things that you did, I think having sat through a number of those audit committee meetings, which you know, anyone else is willing and happy to join us for those too. But to sit there and hear the improvements that we've had over the year, it's really a testament to the work that you've done.

So, congratulations personally, but you know corporately I really appreciate your efforts. So congrats.

COUNCILWOMAN KIESLING: I agree, Karen, thank you so much. Your door was always open to all of us. You answered all our phone calls, anytime we called you. Which is crazy working for seven of us. It's a lot to ask, and we truly appreciate everything you've done in the last four years. Thank you.

COUNCILWOMAN WERREN: I agree. Karen, I remember when I first started, we sat in your office and you were showing me all the spreadsheets and columns and this. You were so helpful and you always have been. I always loved your read receipt emails. I love when people can catch us on that. So, you were always helpful, and I hopefully, I'll see you at the track meets. I may not be rooting for you, but I always enjoyed seeing you there. You're professionalism, your honesty, your ability to kind of handle all of us it's very much appreciated. So, thank you and good luck.

COUNCILMAN FOLTZ: Thanks, Karen, for your service. I didn't get to work with you as much as everybody else. But you obviously, you have many years of excitement ahead of you. So I wish you the best with you and the family. Thank you.

(Karen Alger was not near the microphone when she spoke)

KAREN ALGER: I love my career. I'll tell you, I started with the state auditors, I worked from Ferguson, now I'm going to age myself, to Petro to Janet Creighton to Kim Perez and Healy, and all of you guys. So I loved that the politics didn't affect what I did, we just report the money, you know, the black and white. And if I would ever say to a young person, if they could go into government do so. I was an auditor, I became an accountant, and now I'm going back as an auditor. So it's just thrilling, you know, and I really appreciate, and you know, this was my goal to actually, my goal was to become the Finance Director for the City of North Canton. And I got it. And of course I have to say my mentor was Marge Loreto, so I will always thank her, my parents of course. But also my husband now gets me 24/7. You know, he challenged me to become a CPA which I always wanted to be, and he's a CPA, so we are going to be day in and day out together now, but it's going to be fun and thrilling. And you know my kids already think I'm old because I'm retired, so that's not true. But I thank you all, I've really enjoyed it. And best of luck to the next one.

COUNCIL PRESIDENT PETERS: Karen, we don't expect you to stick around for the whole council meeting.

KAREN ALGER: I'm not, I was going to stick around to see if Mary Beth had a report.

COUNCIL PRESIDENT PETERS: Okay, at this time, we have recognition of visitors. If you wish to address council please step forward, state your name and address.

7. Recognition of Visitors

M J ALBACETE: On Glenwood Street SW, North Canton. I want to begin by saying that in the past, we, through the Canton Museum of Art where I used to work prior to my retirement. Karen, I'm with you now, did she leave? Oh okay, I was going to give her some instructions about retirement. But we had received several grants through the Waste Management with which we were able to present several programs in North Canton to great success. And the last time around, more recently we applied for another grant which was to work on a collaborative project with Kent State University Stark. Among other reasons for doing that, was to serve many of the students in our county who make visitations to the colleges, and trying to bring more students coming to our community to go to college here. And the, also to ameliorate the relationship between the college and with North Canton City Council. We applied for a major grant, I think it was about \$10,000, and we submitted the grant in December, December 18th of the last year. And we heard nothing at all from anyone concerning that grant application. Now in my job at the Canton Museum of Art for all those years, I had submitted grants, any number of grants to various places. And usually the routine was to expect a response, not necessarily positive or negative, but a response that the grant application had been received and was under consideration. Kent never received any such correspondence, we had no response whatever to the grant application. Other than some tenuous contacts through email. Thereafter, we had made various inquiries about the status of the grant, and months passed, we heard nothing. What we were expecting at some point was a formal letter addressed to Kent State University that the grant had been accepted, or not accepted. A yes or no, which you know, either puts us in action to do what we're supposed to do, or tells us that we have to go to another source. Again, we never received any formal yes or no on the application. And I think it was 7 months, 7 months before we really heard anything and it was in a conversation that we heard that we probably would not get the grant. So I just wanted to express my disappointment in the way that was handled. That there is a formality when grants are applied for, that they have to be recognized that they have been received. And within a reasonable period of time, that they are going to pass or not pass. And none of that occurred in this instance. So that was problematic for me in my relationship, I precipitated the grant through Kent State to do this project. And as you know I've been here on a number of occasions pitching for it in various ways. The one thing though that I don't like to do, I don't like to come into city council and complain about something unless I can offer also at the same time a solution of sorts. And my offer is that if I can be involved in future applications to city council for grants, that based on my experience I could help make some decisions. Get those letters out in time and in other ways to oversee the proper management of grant applications. I am grateful for what we have received, and it means now that we have to go out and find the funds from a different source with a very limited time base. Because classes are going to begin at the end of August and based on what we did in the last couple of years, with this particular program our schedule is completely full for the first time in years. Completely full with students that are going to be coming to Kent State University Stark for these programs that we would have been doing. So we've got to find the money, so if anybody has any suggestions please let me know. But if I can help in any way in future applications from other organizations I would be happy to sit on any such committee. Okay, thank you.

COUNCIL PRESIDENT PETERS: Thank you, Mr. Albacete. Anyone else wishing to address council, please step forward state your name and address. Okay, seeing none we will move onto old business. May I have a motion and a second to read by title only the third reading of Ordinance No. 42 – 2016?

COUNCILMAN CERRETA: So moved.

COUNCILMAN FOLTZ: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 42 – 2016.

8. Old Business

9. Ordinance No. 42 – 2016 Street and Alley Committee

An ordinance accepting a record plat for The Sanctuary No. 3 located within the corporate limits of the City of North Canton, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Fonte?

COUNCILMAN FONTE: Okay, this was a, when the Sanctuary, they're putting a new section in. Its 28 lots, and they were, this is the third reading for the approval of the plots, the streets and the sidewalks and so forth. So I move that we approve the third reading and get this thing passed on emergency.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt the third reading of Ordinance No. 42 – 2016.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and second to suspend the rules of Council for three readings for Ordinance No. 42 – 2016?

COUNCILWOMAN WERREN: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to suspend the rules of Council for three readings for Ordinance No. 42 – 2016.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to adopt under suspension of the rules Ordinance No. 42 – 2016?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt under suspension of the rules Ordinance No. 42 – 2016.

ORDINANCE NO. 42 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the third reading of Ordinance No. 43 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 43 – 2016.

10. Ordinance No. 43 – 2016 Street and Alley Committee

An ordinance approving, confirming, and accepting a perpetual public utility easement known as Parcel No. 9202359, and being part of Lot No. 2470, by and between the City of North Canton, an Ohio Charter municipal corporation ("City"), and Patricia D. Fuller, Grantor, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Fonte?

COUNCILMAN FONTE: This was along Price Park on the east side. We are, the engineer has 400 foot of 7x4 concrete culvert.

We’re improving that area. And this happens to be touching the east side on the east side of the pond, the homeowners, so we just need to have access to that until infinity. So it’s the third reading pass it on emergency. I move that we move forward with this now. Thank you.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to adopt the third reading for Ordinance No. 43 - 2016.

ORDINANCE NO. 43 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the third reading of Ordinance No. 44 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 44 – 2016.

11. Ordinance No. 44 – 2016 Street and Alley Committee

An ordinance approving, confirming, and accepting a perpetual public utility easement known as Parcel No. 9206384, and being part of Lot No. 2471, by and between the City of North Canton, an Ohio Charter municipal corporation (“City”), and Charles Cramer, Grantor, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Fonte?

COUNCILMAN FONTE: Same as the last one, just another property owner. It’s just the same type of thing, its touching their property, we need to have access to it. It’s the third reading, I move that we approve it on emergency.

COUNCILWOMAN KIESLING: So moved.

Roll call vote of 7 yes to adopt the third reading for Ordinance No. 44 – 2016.

ORDINANCE NO. 44 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the third reading of Ordinance No. 45 – 2016?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 45 – 2016.

12. Ordinance No. 45 – 2016 Finance and Property Committee

An ordinance repealing and replacing Ordinance No. 32 – 2013 establishing rates and policies for rental of the North Canton Civic Center and gazebo, repealing any and all legislation passed previously and inconsistent with this ordinance, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you, Chairman Griffith?

COUNCILMAN GRIFFITH: I’ll defer to Member Foltz.

COUNCILMAN FOLTZ: Yes, this is the third reading, we’ve talked about it. We’re extending the morning rate to include like a longer lunchtime, to attract more people to have sort of a business lunch there for an hour. And then also we’re going to rent out chairs for the gazebo and some outdoor events. Which is a nice option for our renters for our facilities. So very reasonably priced. So with that, I’ll make a motion to pass this on third reading.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to adopt the third reading of Ordinance No. 45 – 2016.

ORDINANCE NO. 45 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the third reading of Ordinance No. 46 – 2016?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the third reading of Ordinance No. 46 – 2016.

13. Ordinance No. 46 – 2016

Finance and Property Committee

An ordinance permitting the City of North Canton to accept certain Sanctuary lots as collateral for a performance bond in the amount of \$97,823.00, and a maintenance bond in the amount of \$103,706.00, between the City and McKinley Development Corporation for The Sanctuary No. 3 construction project, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. Chairman Griffith?

COUNCILMAN GRIFFITH: As we discussed before, this is a performance bond to make sure that the folks who are going to do construction actually do it. And if they didn't do it, we'd have something we could sell and use to fix that. So routine, and if there are no other questions or issues, I would move its approval.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to approve the third reading of Ordinance No. 46 – 2016.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 46 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to suspend the rules of Council for three readings for Ordinance No. 46 – 2016.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to adopt under suspension of the rules Ordinance No. 46 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILWOMAN WERREN: Second.

Roll call vote of 7 yes to adopt under suspension of the rules Ordinance No. 46 – 2016.

ORDINANCE NO. 46 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

COUNCIL PRESIDENT PETERS: Alright, thank you. And onto new business, and at this time I'd like to turn the discussion over to Finance Chair Griffith regarding the appointment of the new Director of Finance.

14. New Business

15. Discussion on the appointment of the new Director of Finance led by Councilman Griffith.

COUNCILMAN GRIFFITH: Well, I don't know if anyone has heard or not, but our finance director resigned, retired, and we're glad to celebrate all of her successes. But it's time for us to get a new one, probably well passed time, as some of the ladies in that office would suggest. And I would say thank you to them for all the work that they've done. Well passed time in the sense that Karen has been retired for a few weeks. Is what I mean. Karen did a great job. Anyway, we went through a rigorous process with this, because of course this position is a very important one in the City of North Canton. The finance director here is effectively the City's CFO. They wear many hats, and touch really every job and every position, because of the payroll and HR responsibilities, the technology responsibilities. And so it's someone that you know that's really important and frankly over the history of the city we haven't had that many finance directors. So it's, and that's a good sign, we haven't need to move on which is a really good thing. So at any rate, we went through a rigorous process as we said before, where we had three council members and two outside members look at resumes. We came to a concept of who had made sense to kind of bring in and do interviewing. We did the second round of interviews with some really competent and capable folks, had really good experience there. And then last week brought back to two final interviews that most everyone in council was able to look at, participate in the interview. And I'm prepared tonight to make a motion that we accept Laura Brown as our new finance director. I would be happy to have that discussion if there's a second.

COUNCILWOMAN KIESLING: Second.

COUNCILMAN GRIFFITH: Well Laura, who is here tonight, which is great, is a very competent and capable person. And if we move forward tonight with her appointment, I think we will all find that her abilities are vast and are deep. Which I think are very helpful. She's done a great job in government for a very long time. She's been somebody who over a long period of time has done great projecting, has worked with teams, has been a good manager. And has already been a resource to the City of North Canton. Several, or last year, she did a great project for us where she came in did some projecting, and she did a fantastic job there too. And so she's actually already had a chance to kind of peek behind the curtain at our finance position as well. Which is a really good thing. And I will say that I had a chance to talk to somebody who had, one of the other candidates who called to ask me about it, I indicated that she was somebody who was really good. And she said "oh, well if Laura wants the job, then you should give it to her because she's really good." So I took that as a great endorsement, which is a good thing too. So at any rate, I'm happy to approve it and if there's any other questions or concerns I'd be happy to speak to it, and we'll go from there.

COUNCIL PRESIDENT PETERS: Well, I would concur Dan, you know, I sat in on the first interview and was very impressed with Laura. I think she's ready to hit the ground running, and she understands the challenges ahead of her. And I'm excited. And I hope she accepts.

COUNCILWOMAN WERREN: Yeah, I'll comment too. I was part of the ones that kind of looked through the initial resumes, and there were a lot. This was a job in high demand I would say, and you're also competing with the City of Green, who was also hiring a finance director at the same time. And your resume floated to the top, with I think a large part was the experience. And kind of looking at some of your referrals, and a couple people on the committee knew you from other areas. So it's nice that you have the experience from other city entities. And that was, like distressed cities. And that's important. Because there's signs that you would recognize. So you see the good, the bad, and positive, negative. I mean you have just such well roundedness that I think is really going to help us. Your forward thinking, you've managed a lot of different people and I think it's going to be a really good skill set that works with us. And you're from North Canton, that's good. So it was a good fit.

COUNCILMAN CERRETA: I want to applaud the process this council went through on this led by Dan. Dan, it's not easy, him pulling us all together and bringing it out. So thank you for your leadership on this. And the rest of you, Marcia, and the rest of you that did the interviewing on this. So, well done, well done.

COUNCIL PRESIDENT PETERS: Yeah, I'm glad you said that. Dan, thank you, you put a lot of time and effort into this. And you were very thoughtful in your process. I couldn't be more thankful for what you did. So I appreciate it.

COUNCILMAN GRIFFITH: Well the outcome is all that counts, and I think the outcome here was very fortunate. Not credit to me for that. All the credit to Laura for that.

COUNCILMAN FONTE: Thanks for being available for answering questions, Dan. And North Canton, go Vikes.

COUNCIL PRESIDENT PETERS: Alright, so that I heard a motion and a second to appoint Laura Brown as our new Finance Director. Clerk, would you like to call the roll please?

Laura Brown was appointed as the City of North Canton's Director of Finance by a roll call vote of 7 yes.

COUNCIL PRESIDENT PETERS: Congratulations.

COUNCILMAN GRIFFITH: Now, we hope she says yes.

COUNCILMAN CERRETA: You'll find that your chair's the hardest now, because we kind of move them around. And that's what we do.

LAURA BROWN: I would just like to say thank you for all the nice comments, and I appreciate the confidence of all seven of you. And I look forward to working with all of you.

COUNCIL PRESIDENT PETERS: Alright, onto new business. May I have a motion and a second to read by title only the first reading of Ordinance No. 47 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 47 – 2016.

16. Ordinance No. 47 – 2016

Community and Economic Development Committee

An ordinance authorizing the vacation of a portion of Orchard Street NE and Witwer Street NE, located within the corporate

limits of the City of North Canton.

COUNCIL PRESIDENT PETERS: Chairwoman Kiesling?

COUNCILWOMAN KIESLING: Yes, this is the vacation over here on the side of the Hoover District. The church has agreed to the vacation, they were at the first Planning Commission meeting. They didn't come to our public hearing. So they offer no objection. So I motion that we move forward with the vacation.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 47 – 2016.

ORDINANCE NO. 47 – 2016 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 48 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 48 – 2016.

17. Ordinance No. 48 – 2016 Community and Economic Development Committee

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application, and to accept and utilize a Stark County Community Development Block Grant Program ("CDBG Program") Fiscal Year 2016, for a grant for the 7th Street NW Reconstruction Project, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Thank you. Chairwoman Kiesling?

COUNCILWOMAN KIESLING: Yes, this is giving the administration authorization to accept the grant. It is the 7th Street NW Reconstruction Project, totaling \$350,000.00. The grant is a 45% match, so we'll put in \$157,000.00, and the grant will give us \$192,500.00. So of course, we're going to accept that grant. I motion we accept.

COUNCILMAN FOLTZ: Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 48 – 2016.

COUNCIL PRESIDENT PETERS: Before they change their mind, may I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 48 – 2016?

COUNCILMAN FOLTZ: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to suspend the rules of Council for three readings for Ordinance No. 48 – 2016.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to adopt under suspension of the rules Ordinance No. 48 – 2016?

COUNCILMAN FOLTZ: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt under suspension of the rules Ordinance No. 48 – 2016.

ORDINANCE NO. 48 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 49 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 49 – 2016.

18. Ordinance No. 49 – 2016

Ordinance, Rules and Claims Committee

An ordinance amending CHAPTER 1133 – SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT REGULATIONS, of the Codified Ordinances of the City of North Canton, specifically Section 1133.08(c)(3) Additional Regulations for Garages, Parking Areas, Driveways and Vehicles.

COUNCIL PRESIDENT PETERS: Thank you. Chairwoman Werren?

COUNCILWOMAN WERREN: Some homes in the City of North Canton have limited parking space. And Eric, you can, I know you talked about this the other week. And we had a resident that was saying how difficult it was to get in and out of her driveway. So this allows, you know, if you have the driveway on either side that allows side parking spot. Probably doesn't allow for the radius to come in and out based on your lot size. But I guess that could be a possibility if the size was large enough. But it just creates some additional parking without them parking in their grass, by the curb, and so on. Eric is there, anything else you want to say about it. Okay, is this under, one question I had, the one person we're kind of referring to wasn't she moving on this project, so this need to be under emergency?

COUNCILWOMAN KIESLING: It can't be.

COUNCIL PRESIDENT PETERS: Can't be, yeah.

COUNCILWOMAN WERREN: So we have to take this all the way.

COUNCIL PRESIDENT PETERS: Yeah.

COUNCILWOMAN WERREN: Okay.

COUNCIL PRESIDENT PETERS: Yeah, she was moving it on, but has put it on hold until the process takes it. But one other thing to add too, is a lot of the homes that have the single car garage and driveway are on some of our main roads. And to back out really is a dangerous situation. It's a lot easier for her to pull out forward. And I mentioned at the last meeting that she sent a video to all of us that actually showed what she needed to do. And you know worked out good.

COUNCILWOMAN WERREN: So, yes, it's not just for her that we're doing it. But I think it's a good project to move forward and looking at some of those and how we can accommodate people in these homes.

COUNCILMAN FOLTZ: I think it's important too, I mean that Eric drew this up and he went to a lot of us and discussed it with the ideas. And we all had a chance to improve it or offer suggestions. And it's just not for everywhere and every resident. You have to have specific things that you don't have a side yard or you don't have access to a back alley way. I mean it's where you really have no other opportunity and even then it can only be a percentage of your front yard. And it has to be done so I'll say in a tasteful way that's a nice aesthetic thing in the neighborhood. I think we're all after that. We don't division...

COUNCILWOMAN WERREN: Right, we're not going to block the whole...

COUNCILMAN FOLTZ: Yeah, we don't want parking areas in front of everybody's house. This isn't the intent, the intent is to look at all of our options, and this is something hopefully will fit well for that resident and others in the future that have the same unfortunate situation.

COUNCILWOMAN WERREN: Well, and I think she did it in such a way that, she had a suggestion, I mean it's kind of is a hey folks, this is what you can do if you come to council, if you have an issue, it's not always a no answer. I mean, we'll look at things, we'll try to help and in this situation it worked if you meet that criteria. And she needs it to work.

COUNCILMAN FOLTZ: And Eric's done a great job modifying it so it's something that we all would like to have done in the future. Thanks, Eric.

COUNCIL PRESIDENT PETERS: Okay, is there a motion to adopt?

COUNCILWOMAN WERREN: Motion to adopt.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 49 – 2016.

ORDINANCE NO. 49 – 2016 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 50 – 2016?

COUNCILMAN GRIFFITH: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 50 – 2016.

19. Ordinance No. 50 – 2016 Personnel and Safety Committee

An ordinance amending Section 3 of Ordinance No. 38 – 2016 allowing the appointing authority to grant up to four weeks of vacation to include the Director of Law and the Clerk of Council, and declaring the same to be an emergency.

COUNCIL PRESIDENT PETERS: Alright, thank you. First of all, my apologies when we did the previous ordinances to address the salary ranges and the vacations, we failed to include the Director of Law and the Clerk of Council in the vacation piece. And this is fixing that. So with that I'll entertain a motion and a second to adopt the first reading of Ordinance No. 50 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 50 – 2016.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to suspend the rules of Council for three readings for Ordinance No. 50 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to suspend the rules of Council for three readings for Ordinance No. 50 – 2016.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to adopt under suspension of the rules Ordinance No. 50 – 2016?

COUNCILWOMAN KIESLING: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adopt under suspension of the rules Ordinance No. 50 – 2016.

ORDINANCE NO. 50 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to read by title only the first reading of Ordinance No. 51 – 2016?

COUNCILMAN FOLTZ: So moved.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to read by title only the first reading of Ordinance No. 51 – 2016.

20. Ordinance No. 51 – 2016 Finance and Property Committee

An ordinance appropriating Ordinance No. 11 – 2013, the Price Park Culvert Rehabilitation Project in the City of North Canton, increasing the appropriation from not to exceed \$175,000.00 to not to exceed \$325,000.00.

COUNCIL PRESIDENT PETERS: Thank you. Chairman Griffith?

COUNCILMAN GRIFFITH: We have, I think Jim is going to grace us with his presence in a presentation here, relative to the project. Take it away, Jim.

ENGINEER BENEKOS: Okay, before we get started, if you're favorable towards this I'd like to add an emergency to this. So we can get it constructed this year. Passed out just minimal information of the pictures here, later I can get those for you. First of

all, the existing conditions as you see on the slide here, what we have here coming across Maple Street are two 43x68 inch concrete pipes. And they're oval, they're in great condition. They come to a junction box just off, just a little bit south of Maple Street right about at this location. Then that goes into a 63x87 inch corrugated metal pipe, it's a pipe arch. It's not round, it's not oval. And I've got a, this is the shape of the pipe that should be in there. I mean that's the shape it should be, it warps a little bit after time. Go ahead, and that's a picture of a new pipe that would be in there. Go ahead, so that's the shape that we had...

COUNCILMAN CERRETA: So why is the shape so important, Jim? I mean we've been using round shapes for dozen...

ENGINEER BENEKOS: Well, we'll get into that when we get into capacity and the options that we looked at. Okay, we talked about, well, we'll get to that point. Go ahead to the next one, looking at the surface conditions, this concrete here slab that's over the junction box, the north junction box that we'll call it, that's just south of Maple Street. Then you can see as the pipe goes south from there beside the pond, next slide, there's the top of the pipe that's exposed. And being exposed itself doesn't create any problems, but what we've had it just shows the top of the pipe. What we've had in recent years, we have two failures of the pipe. Go ahead, we'll talk about the failures in a minute. This is the surface area it's kind of humped up because of the pipe, we have to get over the pipe with the dirt. Next slide, and you can see it from this side also. One of the things we wanted to accomplish is to lower that, make it more level, more usable area. That went into the decision making on the type of pipe we selected. Go ahead to the next, this is inside the north vault, this is looking north. These are the two concrete pipes coming under Maple Street. This is the pipe we want to replace. You can see and this at the south vault looking north, on the bottom there, what happens on metal arch pipes or metal pipes in general, the bottom deteriorates, it rusts and that strength it's a hoop strength, you lose that at the bottom and it just deteriorates. Also what happens, is as the gravel that's around the pipe it will migrate to the failure in the bottom and it will create holes on the side of the pipe. And we've had two failures as I mentioned, one actually drained the pond in recent years and another one just opened up a large hole in the ground. I mean, we don't want that in the park with people walking around. You don't want that anywhere where people can get hurt. Okay, talking about the capacity, and that's the picture of the pipe looking south. This is a section from the south vault, one going from the north vault to the south vault at this time, but as you can see from the south vault going south, we're going to have to address this pipe in the future. It should not be as expensive as this pipe, but we're not at that point yet. We haven't started looking at costs and lengths and so forth on this. The options that we had you know looking at the different options, one of course is to do nothing. And we didn't think that was really an option because of the conditions that were present and what could happen you know opening up more holes and failures of the pipe. Two, we could remove the pipe and just leave an open ditch, that wouldn't allow for being able to use that space. That pipe was installed in 1980's at the request of the residents to close that ditch in, in that area. The third option we looked at was slip lining, you can go to the next. We looked at a couple slip lining, slip lining is good in the right application. But, and more so when you have an open ended culvert. One that just goes underneath a road where you have an open end on both sides, you can get down there you can slide a piece of pipe through there. Here we would actually have to open up areas to be able to get the pipe in there to push it in the area. But that wasn't the main reason not to go with a slip lining. Slip lining, what happens is because you have a round pipe and we have pipe, our existing pipe is a pipe arch. When you put a round pipe in you lose a lot of capacity, and when you lose capacity it would tend to cause flooding upstream from there if you can't get the water through. Now this particular company, you can go to the next slide, and I had, this particular company had an oval pipe, which allows you to get a bit more capacity in a slip lining. But you can see at the top there, you have probably at least a foot that you're losing capacity, and probably 8 to 10 inches on the sides. So even though you increase, well I have my note in there, it says you gain on manning number. Manning is coefficient of friction because of the sides. On your corrugated metal pipe it's not as smooth and the water can't get through there as easily as it would on a plastic pipe such as this. So you gain on that manning's number, but you lose on the diameter on the actual size of the pipe. So overall you lose capacity by slip lining a pipe. The fourth option we looked at was spray lining, was to go in you can spray around the pipe, either a polymer or a cementitious type of material. We did look at that, we talked with a couple companies. The price that came in was \$340,000.00 that they gave us. So we felt, we felt that the better solution and even though you lose a little bit of size there, again you get a smoother surface. So that's about an even trade off, but we are looking to even increase the capacity of the pipe if possible. And we felt that the option that we did choose was pipe better priced than spray lining, and it did give us additional capacity. I have a note here talk about Easthill. The Easthill Bridge that ODOT's replacing. We've talked with ODOT, and I just want to bring this up as a side, we're going to end up spray lining that pipe, we were talking about replacing it, but in replacing it they had to relocate the two high pressure gas pipes. That was at a cost of \$750,000.00 to a \$1 million dollars. ODOT said let's look at some other options. So the option is we're going to be spray lining that pipe. So it is a good option and the capacity of that pipe is sufficient to be able to do that.

COUNCILWOMAN WERREN: Will that be less construction then?

ENGINEER BENEKOS: Less construction, we shouldn't have any detours, but we haven't finalized that. That was the option that they went back to the design build team, and we haven't gotten that finalized yet.

COUNCILMAN CERRETA: How about our little stone accent on that?

ENGINEER BENEKOS: We won't be able to get that, sorry. I know, I know.

COUNCILMAN FONTE: Hey Jim, so by replacing this, how long is this going to last now? Another 30 years, 50 years?

ENGINEER BENEKOS: It should, concrete, you know you have a minimum life of 50, and I would expect 100 years out of it.

COUNCILMAN FONTE: Okay, and then what's the timeframe if you get the project approved, how quick can we get it done?

ENGINEER BENEKOS: We should be able to do that I think 45 days is what we gave the contractor.

COUNCILMAN FONTE: Does it make a big difference in the flood like Zimmer ditch flooding, and all that kind of stuff. What, how's going to impact us?

ENGINEER BENEKOS: That shouldn't affect that at all.

COUNCILMAN FONTE: I mean is it going to improve it?

ENGINEER BENEKOS: It won't improve it, this is to the side, and this leads into the Zimmer ditch. So all it will do is reduce flooding upstream. But it won't help anything downstream.

COUNCILMAN CERRETA: Jim, why do they go with the corrugated, seems like a catchall. And it sits there and rusts. Why do they do the corrugated?

ENGINEER BENEKOS: They had good salesmen back then. It's the only thing I can think of, it might have been a cheaper option.

COUNCILMAN CERRETA: But the new one's not going to be corrugated?

ENGINEER BENEKOS: Correct, it's going to be concrete. What we've opted for is a 7 foot by 4 foot concrete box. What that does, you can see the blue line, that's going to be the new route of the new pipe. We going to first pull it away from the pond a little bit and we'll talk about that in a minute. And then we had to get back online take it into the existing vault. The southern vault, the southern vault is the one on the left the end of the blue line. And the northern vault's on the right. And what was the question?

COUNCILMAN CERRETA: The corrugated...

ENGINEER BENEKOS: Yeah, why they used that, there was a lot of corrugated metal that got put in in the '80s and before, and earlier than that. Now they don't just make plain corrugated metal, it will be galvanized or they'll have aluminum. That was one thing they tried to sell us on the Easthill bridge, when it was corrugated metal pipe, and we didn't want to put that back in. Now by spray lining the existing, that existing pipe arch corrugated metal acts basically as a form. And then we'll put a structural liner on the inside. So that exterior metal pipe could totally go away, and that new spray line pipe will carry the load.

COUNCILMAN CERRETA: And I think you were leading into this, what's the disruption to the pond with this?

ENGINEER BENEKOS: Okay, we will drain the pond, because there's some other work that we need in the pond. There's a pipe, an overflow structure in the pond that we want to rehab. Which will go from the pond as a catch basin basically out in the pond and a pipe that leads to the new pipe. So we'll have to drain the pond for a period of time.

COUNCILMAN FONTE: Like all the way down?

ENGINEER BENEKOS: All the way down.

COUNCILMAN FONTE: So what about the fishes?

ENGINEER BENEKOS: They're, I think they're allowing a catch and keep fish program right now.

COUNCILMAN FONTE: Okay, fish fry.

COUNCILMAN FOLTZ: Jim, is the blue the new route? (Correct) Now the existing one is that the one that's kind of diagrammed in with the dots?

ENGINEER BENEKOS: In the red, yeah, the red dot and that shows on your...

COUNCILMAN FOLTZ: This right here, what is this here?

ENGINEER BENEKOS: That, okay, that's a sidewalk that we're putting in. So we're going to go from Maple Street to the path there to the left, and we'll put a 6 foot wide sidewalk. Beside the pond it will be 12 foot wide, so that gives us an area that people can fish from...

COUNCILMAN FOLTZ: There's space to fish and walk around in.

COUNCILMAN CERRETA: Will that be concrete?

ENGINEER BENEKOS: All of that will be concrete.

COUNCILMAN FONTE: Is it geese free? Are we going to embed it with geese free sensors?

COUNCILMAN CERRETA: Now you know I'm going to say, will that be concrete can we stamp concrete to make it look like not a parking lot? Can we look into that?

ENGINEER BENEKOS: We could look into that.

COUNCILMAN FOLTZ: Is it the south vault?

ENGINEER BENEKOS: Correct. Then you can see those two black triangles to the left. Those are the two easements that we just passed this evening. The existing pipe already occupied those, so we're just correcting an issue we had in the past. But we, you know, realized that we wanted to be proper and we did ask the property owners and they graciously granted those easements at no cost to the city.

COUNCILMAN FOLTZ: Jim, the inlet or outlet whatever you want to call it, drain line from the pond that stays the same? Same diameter?

ENGINEER BENEKOS: It's the same location.

COUNCILMAN FOLTZ: Same location, same diameter?

ENGINEER BENEKOS: Correct.

COUNCILMAN FOLTZ: Concrete?

ENGINEER BENEKOS: Correct, the little deck on there, that's going away. That little wooden deck, that's old it's deteriorated, so we're removing that at this time.

COUNCILMAN FONTE: Just have the big pad then?

ENGINEER BENEKOS: Just the big pad that whole length side of the pond.

COUNCILMAN CERRETA: See if we can dress that up a little bit then too.

ENGINEER BENEKOS: Okay, we'll look at that. We'll see about funds. So by doing a 7 foot by 4 foot box we're able to lower the top of the pipe. You can go to the next slide, oh that just shows the plan, and you can see the sidewalk a little better in the shaded area. You can go to the next slide, there's the profile of the pipe, and you can see the surface is a little bit lower than the existing pipe. This is like a cross section, so we're able to lower what you saw before like at that hump in that area, so we can put the sidewalk in it's a flatter area for people to be able to utilize as the walking path and the deck there. And then we're back to what we're proposing there. So that's, oh, on the east side of there, there's some trees and some scrub brush we're going to be removing those. There's some larger trees we're going to leave as many as we can, but then after the project we'll be planting new trees as part of Jim Davis' program. He'll get those in there and we'll landscape that area between the residential area and the park.

COUNCILMAN CERRETA: Will we let the neighbors know about that ahead of time, so they don't come out and say "what are you doing to my trees?"

ENGINEER BENEKOS: Yep.

COUNCILMAN FOLTZ: Okay.

COUNCILWOMAN KIESLING: Thank you.

ENGINEER BENEKOS: Sure.

COUNCILMAN FONTE: Hey, one other quick thing, so the difference in price is quite a bit more, is that, why is that?

ENGINEER BENEKOS: It's probably, you know, the original ordinance was 2013, and we put money that was available at that time, and we knew that wasn't enough money. Over the years it wasn't a high priority project, so when we got to it this year we had a better handle on what the was going to be. So we put that money in the budget, I think it was \$325,000.00 or \$350,000.00 and that's enough to cover the bid that we opened up recently. So, yeah...

COUNCILMAN FONTE: That was from 2013?

ENGINEER BENEKOS: 2013.

COUNCILMAN FONTE: Okay, makes sense. Thank you.

ENGINEER BENEKOS: Sure.

COUNCILMAN GRIFFITH: Thank you very much, Jim. And again, I think one of the reasons that North Canton has had so much success long term is that the people who come before us have taken the time to do projects correctly. And in those rare instances where they haven't happened, I think they come back to haunt us. So when we're doing things that hopefully are going to be around in a 100 years for somebody else to re-appropriate and hopefully we've been good stewards of these dollars too. So even though its several hundred thousand dollars, we all love Price Park amortized and appreciated over a 100 years that's not so bad. So, very good. Any other questions or concerns relative to the appropriation? I would move its approval.

COUNCILMAN CERRETA: Second.

COUNCILMAN GRIFFITH: Oh, do I need to amend to add emergency or can I just wait to...

COUNCIL PRESIDENT PETERS: I'll do that next.

COUNCILMAN GRIFFITH: Okay.

Roll call vote of 7 yes to adopt the first reading of Ordinance No. 51 – 2016

COUNCIL PRESIDENT PETERS: Thank you. May I have a motion and a second to amend to include an emergency clause?

COUNCILMAN CERRETA: So moved.

COUNCILMAN GRIFFITH: Second.

Roll call vote of 7 yes to amend Ordinance No. 51 – 2016 to include the emergency clause.

COUNCIL PRESIDENT PETERS: Alright, thank you. May I have a motion and a second to suspend the rules of council for three readings for Ordinance No. 51 – 2016?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to suspend the rules of council for three readings for Ordinance No. 51 – 2016.

COUNCIL PRESIDENT PETERS: Alright, thank you. May I have a motion and a second to adopt under suspension of the rules Ordinance No. 51 – 2016?

COUNCILMAN GRIFFITH: So moved.

COUNCILWOMAN KIESLING: Second.

Roll call vote of 7 yes to adopt under suspension of the rules Ordinance No. 51 – 2016.

ORDINANCE NO. 51 – 2016 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

15. Reports – Council:

COUNCIL PRESIDENT PETERS: Alright, thank you very much. Reports, Member Fonte.

COUNCILMAN FONTE: I just, you know, it's been on my mind a lot is the Hoover District. I noticed they've been putting the new windows in. But I'm just really wondering, I see a lot happening at Hall of Fame but not as much happening here. So I was wondering if we could organize an opportunity for them to come in and do a presentation and bring us up to speed, and what's really happening. Let's get this job going so we can wrap up this mess over here. That was just my thinking, what do you think?

COUNCILMAN FOLTZ: I concur. I've got a lot of questions about it, and I can't intelligently give them a timeframe when they're going to actually have some of these units for sale.

COUNCILMAN FONTE: I mean, they're getting a road so let's see if we can get something done.

COUNCILMAN CERRETA: We had, Dan and I were at the meeting where Carol Smith came in talked to TAP about it. And mostly it was all about the Hall of Fame, and...

COUNCILMAN FONTE: That's right.

COUNCILMAN GRIFFITH: Which was exciting and interesting, however...

COUNCILMAN FONTE: Well, I drive by there, they've got fields, they've got everything...

COUNCILMAN CERRETA: But we wanted to hear a little bit more about what we are having there. And I know they're pressed for the Hall of Fame, and that's you know, we know that's going on over there. They have replaced most of the windows, you're seeing all new windows in there. I made the comment, it was nice to have this place where people didn't have broken windows. But we had no windows at all, at one point. So it's good to see that the windows are in there, and they're moving forward. She told us the chimney would be soon. There's where we are, that's as far as we got with her. So...

COUNCILMAN FONTE: I say we have them come in and might put a little more pressure on them.

COUNCILMAN CERRETA: That's a good idea, we were waiting until after the Hall of Fame, until they're kind of you know stressed with that right now. But that's where they're at.

COUNCILMAN FOLTZ: They've got two weeks. I think you're right we've had the stack, some people believe the stack will not be rebuilt. And I'm vouching for the developer in saying "yes, they will, they're telling us that". And here it is mid-July, you know, you're going to run out of weather eventually. So I'd like to see more of a concrete timeframe from them, on their project.

COUNCILMAN FONTE: I say have them come in and talk with us.

COUNCILMAN CERRETA: I think it's a great idea to invite them to come in and give us an update. That's probably the way...

COUNCILMAN FONTE: I think we should do that, put a little squeeze on them, general squeeze.

COUNCILMAN FOLTZ: Just update it.

COUNCILMAN CERRETA: So maybe we can, I mean be glad to extend that to Carol, to come in with a presentation, give us some dates and we'll make that happen.

COUNCILMAN FONTE: Thank you, sir.

COUNCIL PRESIDENT PETERS: You got it. Member Werren.

COUNCILWOMAN WERREN: I just want to say thank you, Eric, we've worked on a few homes and some different code violations. And really you've been very thorough, and I think we're really moving forward on a lot of that. Otherwise, I think I've driven around a lot of my areas, and new tennis courts, and some new paving areas. And it really looks great. People are really taking a great care of their home. I talked to Mike last week about mosquito spraying, and I think we've successfully did four of them, at least. Right?

DIRECTOR GRIMES: We've done all parts of the city, and we'll do another one starting next week. We'll go around the city again.

COUNCILWOMAN WERREN: Okay, and the mosquitos seem unfortunately this year where they're not even that bad, because we haven't had as much rain. But it's nice, I know, I talked to a resident last year and he hadn't been covered and so that was taken care of. And the other thing I want to say, I'm really proud of North Canton and their response to Mike Herrera, Zach Herrera, who was a 16 year old who was, had some strokes and has been in the hospital. And Mike, the family is a dear friend of ours. Curt was in his wedding, he went to school with Marcia and I at McKinley. I got to go up and see him Friday night, and the response from the North Canton community, from football jerseys hanging in the window to footballs, to Jackson footballs, to I was there when 14 members came in. To see that was emotional and sad of course, but just to be in a community like that where you see that and the monies that they've raised for future rehabilitation they hope is tremendous. And it really means a lot and the paper has done a great job, Jessica, picking all those stories up from Scoops Ice Cream to McDonalds, to TD Tailgate. It's tremendous, you know what this community has done. And it would happen with anybody, and that's so neat to see. So if we would just keep continuing to keep to him in our thoughts and prayers, hopefully we will see some recovery soon.

COUNCILWOMAN KIESLING: And we are having a Bowl-a-Thon, July 23.

COUNCILWOMAN WERREN: Marcia said at the school every program, you know what can we do, and how can we contribute.

COUNCIL PRESIDENT PETERS: Next one is at the Barrel Room on Tuesday night from 5 to 8.

COUNCILWOMAN WERREN: And they had already had one.

COUNCIL PRESIDENT PETERS: It's the 19th.

COUNCILMAN FONTE: I think they have one at Arby's either tonight or tomorrow.

COUNCILWOMAN WERREN: Yeah.

COUNCIL PRESIDENT PETERS: That’s tonight.

COUNCILMAN FONTE: Tonight.

COUNCILWOMAN WERREN: I guess these players line the halls the first night, and just sat there without, I mean he was basically in a coma. And to see them all lined and the teachers you know who came and supported and counselors. I mean you don’t see that in every community. And those boys haven’t missed a night coming up there. So...

COUNCIL PRESIDENT PETERS: I’m glad you mentioned Jackson High School, the football players came up signed a football brought it up there. I mean these are kids that Zach played against.

COUNCILWOMAN WERREN: And Plain Local, they sent out a whole announcement that reaches all the parents. So you really see this community coming together for this.

COUNCIL PRESIDENT PETERS: Yeah, thank you. Member Kiesling.

COUNCILWOMAN KIESLING: On a lighter note, I just want to say we had a great Fourth of July race, I know the Mayor’s not here tonight, and it was so fun. Thanks to the city services. It was great weather obvious that really helped. It was a great day. And the Jaycees and the fireworks. It was good a night.

COUNCIL PRESIDENT PETERS: Member Griffith.

COUNCILMAN GRIFFITH: Yeah, I want to say a special thanks to the Jaycees. We had some folks who came in from out-of-town, and they were just blown away by how well the whole event was with the music and how close you got to sit near the fireworks. But it was really good, and a great congrats to the Jaycees on that too. I want to say a special apology to Al Albacete, I’ll give him a call too. I thought we had appropriated those dollars in the budget. So if there’s a communication issue one way or the other we’ll make sure we get it resolved. But I want to say a public apology for that too. So I’ll make sure we have contact about that today. Congrats to the speech and debate team that won some national awards. Which was fantastic. So big, big shout out to them. And a special thanks to the folks at the library again, for a great movie in the park this last Friday. It’s one of those events where just like the Fourth of July, you’re sitting out there with the whole community and you know all of it was free. Because everything was donated. And you just think this is a great place to live and a great thing and a great community to be a part of. So, and two other special thank you to all of our police forces, obviously we don’t say that anywhere near enough. And I know it’s been a challenge, so we all want to do that. And finally I want to a special thanks to Shanna and Jodi and all the ladies in our group who have done a really fantastic job, who’ve gone above and beyond over the last several months with the transition and who I’m sure will continue to do that. I have no doubt it. But I really appreciate your efforts and all the great work that you’ve done keeping things together. So a thank you to you both. And the transition to RITA, which I know has been a big thing and will continue to be. But there’s been a lot of big projects.

COUNCILMAN CERRETA: Can’t top that, that’s why we live here. Very special place, a lot of those things. I won’t take, Mike, we’re going to follow up with all that pool stuff, you’re going to some of the stuff when it comes around to you? (Sure) Okay, so I’m make sure of that, but no report then after. I can’t much more than that.

COUNCIL PRESIDENT PETERS: Member Foltz.

COUNCILMAN FOLTZ: No, just a follow up with Jim, too. Paving schedule, do we have anything in place? Or is that something we’ll know when we get back from vacation? (Yes) But hopefully it’s not November, we’re going to get it still in a decent timeframe something that we want for quality work here.

ENGINEER BENEKOS: Contract’s been award and signed and delivered to the contractor last week. And we’ve been talking to them to get a schedule for that.

COUNCILMAN FONTE: Who’s our contractor this time?

ENGINEER BENEKOS: North Star.

COUNCILMAN FONTE: Okay.

COUNCIL PRESIDENT PETERS: One quick note, to your point Dan, I had many conversations and the email exchanges with MJ in regards to that. And it had to do with the monies that, we didn’t appropriate them, what we had done in previous years was take it out of the recyclable funds. Okay, so those funds are limited and they’re going away, moving forward. And there was some elements to this new one it was going to pay for a portion of it was going to pay for salaries. And it was going to be outside the City of North Canton. And we didn’t feel that was fair, and we conveyed that to him. There wasn’t a formal letter, denial letter that went out, but there was many conversations between MJ and myself and the mayor. I don’t know if Mike you talked to him or not. I think it was just the mayor. We just, I didn’t think I was, and I’ll apologize to him personally. I didn’t think I was dealing with Kent. I thought I was dealing with MJ. So that may be on me. And if that was an oversight on my part I will apologize to him and the folks at Kent. But we made it very clear. They were in the know. Alright, Director of Law.

LAW DIRECTOR FOX: Yes, just a couple words on Roy Batista. A little history, Roy began his career with the City of North Canton the assistant Law Director to Director John Walsh in 1969. I was six years old at that time. And he began as the acting director in 1971 and served until 1998, when he resigned. He came back in 2000 and then resigned again in 2003. But he served off and on as an interim law director. And in fact, was the interim law director when I started. He did that for a couple weeks in between Hans Nilges and myself. And I recall meeting with him in the law director's office, there's just a multitude of files, legal issues abounding. And the most important thing that I wanted to know from him was about any looming deadlines. Because that can be quite problematic and sometimes fatal if you don't pay attention to certain deadlines. But he assured me that wasn't a concern. And just provided me with a couple files, told me to familiarize myself with these files. And unlike private practice, don't worry about the work because he said "trust me, it will find you". And he couldn't have been more correct. It, just wait there's a lull, just wait and it will find you. I wanted to also point out that in, or on September 14, 2003 on his second time that he resigned that his 30 years of service with the city, the Canton Repository did a detailed article about him. And so I believe the search engine would probably have that, so if you want to go back and take a look it will get into much more detailed information, September 14, 2003. And perhaps most important for Roy, is that certainly he was a fine attorney, he went to one of the best law schools in the country. And we were fortunate to have him, but he was even a better person, just to sit down and give you the straight information. To give me a tip here and there to let me know if something that maybe I didn't know was coming beforehand. And we would just talk about those things, so absolutely want to recognize his contribution to the city and he certainly will be missed.

COUNCILMAN FOLTZ: Thanks for those kind words, Tim.

COUNCIL PRESIDENT PETERS: Thank you, Tim. Director of Administration.

DIRECTOR GRIMES: Yeah, those, I knew Roy a long time too. So those of us that know him, know that he's probably already played his first prank up in Heaven. Because that's the way he was. He'd play a lot of pranks on folks, and you know, you'd try to get even with him, but he always tried to one up you. So and he passed away it was on Saturday when he passed away. And he let his office know that when they make the arrangements they're going to announce that in lieu of flowers or donations, that they make a donation to the city for the walking path at Price Park. So, he's still thinking of the city. So, but yeah, a pretty nice man. So, I'd also like to thank Eric for the CDBG grant for your work on that. So you quietly just worked away and one day told us we got some money, and that was very nice. The pool, I'm under the gun to say something about the pool. We have got the diving boards up, they're up, the sliding board is up. It's not being used yet, because we still have to have the water hookup. Which sounds real simple, but it's not, it has to be from a certain place and the filter and everything. We're trying to get that done this week, we're trying to nail down a time for that. Some of the ladders were not where the pool people wanted them, we moved every ladder except one, we're waiting on some material to come in. So hopefully we'll get that moved again this week. Not sure why they put the ladders where they did, but the Y wanted them changed and we agreed with them. So we're trying to do that, and so we got that pretty good. So we're along there pretty good. The lady that came to one of the last council meetings and had some suggestions for us with the pool. We've carried those out. You know, we have the lines on the pool probably in the next two days. And done some of the others. She did reach out back to the mayor and let us know that she appreciated us listening to her and then getting on those things. So that was very nice of her to respond back to us. So...

COUNCILMAN CERRETA: Jill said the temperature was up too. So apparently it's much warmer.

DIRECTOR GRIMES: Yeah, the temperature was up. We still think we can tweak that a little bit later here in the second phase. But yeah, that's been up pretty good too. So...

COUNCILMAN GRIFFITH: I've heard a couple say they were much happy about the temperature of the pool.

DIRECTOR GRIMES: So we're trying, you know, get it to, you know, try to please the most people there. And we just got to get that slide open, that's what a lot of people like the slides. So we are working on that. So, we didn't get a chance on this side to say much about Karen, but we already, the ladies threw her a nice retirement party. We all were there. And anybody that knows finance directors knows that people like me a city administrator and the engineer bother the people the most. And I think you girls know that too by now that we're kind of a pain in the neck. But we also took her out to lunch and everything, but we really did like Karen and she really was a team player. And there was no this side of the building or the other. You could you know back and forth and we all work together at that. So we appreciate that. We have worked with Laura on the one project, and we're looking forward to working with her. And hopefully she's looking forward to working with us, after meeting us. But she was very professional, very direct and took what we had to say back in. And that's very good, because again, its people like the engineer and I to drive them crazy sometimes. But I'm sure we'll all work together and get it done. So we're happy to have you onboard. Thank you, sir.

COUNCIL PRESIDENT PETERS: Mr. Engineer.

ENGINEER BENEKOS: I've used up all my words for this evening.

COUNCIL PRESIDENT PETERS: Madame Clerk?

COUNCIL CLERK BAILEY: Well I would say I have no report, but I will just say I fixed the TV earlier today.

COUNCILMAN FOLTZ: If you fix the sound system and there'll be another proclamation. Guarantee you that.

So we're happy to have you onboard. Thank you, sir.

COUNCIL PRESIDENT PETERS: Mr. Engineer.

ENGINEER BENEKOS: I've used up all my words for this evening.

COUNCIL PRESIDENT PETERS: Madame Clerk?

COUNCIL CLERK BAILEY: Well I would say I have no report, but I will just say I fixed the TV earlier today.

COUNCILMAN FOLTZ: If you fix the sound system and there'll be another proclamation. Guarantee you that.

17. Final Call for New Business:

COUNCIL PRESIDENT PETERS: Okay, with that final call for new business to council?

18. Adjourn:

COUNCIL PRESIDENT PETERS: Seeing none, I'll entertain a motion to adjourn? Oh, I'm sorry, hold on I got ahead of myself, I need a motion and a second to move the August 15th Committee Meeting to August 22nd to coincide with the regular Council Meeting and that will be the meeting we come back from summer break on.

COUNCILWOMAN KIESLING: Motion.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to move the August 15th Committee Meeting to August 22nd following the regular Council Meeting.

COUNCIL PRESIDENT PETERS: Oh, one more thing, let's handle this now Labor Day being Monday, September 5th. May I have a motion and a second to move the meeting to the 6th?

COUNCILWOMAN WERREN: So moved.

COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to move the September 5th Committee Meeting to Tuesday, September 6th.

COUNCIL PRESIDENT PETERS: Those two items are handled. Now, I'll entertain a motion to adjourn?

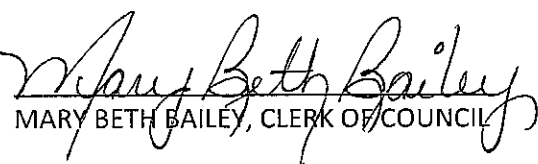
COUNCILWOMAN KIESLING: So moved.

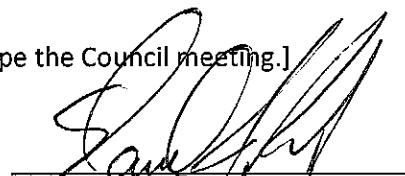
COUNCILMAN CERRETA: Second.

Roll call vote of 7 yes to adjourn.

COUNCIL PRESIDENT PETERS: We are adjourned.

[Let the record reflect Charles Osborne set up a tripod and appeared to videotape the Council meeting.]


MARY BETH BAILEY, CLERK OF COUNCIL


DANIEL JEFF PETERS, PRESIDENT